REMARKS

Claims 18, 28 and 35 are amended. Claims 18-35, as amended, remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Office Action dated December 28, 2006, the Examiner rejected Claims 18-20, 22-25, and 28-34 under 35 U.S.C. 102(e) as being anticipated by Gronemeyer et al. (U.S. Patent Number: 6,363,359).

Regarding Claim 18, the Examiner stated that Gronemeyer discloses an apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

a. An input means for receiving parametric data information related to operating parameters of customer equipment being remotely monitored for service purposes. (Col. 2, lines 41 - 57) (The input means disclosed is not the sentinel as asserted in the amendments arguments but rather the mechanism inherently disclosed by the fact that the server receives a response from its query to the sentinel.)

b. An equipment database storage device connected to said input means for receiving and storing said parametric data information. (Col 5, lines 47-67) (Gronemeyer references a log file in this section that is transmitted to the server. The examiner has interpreted this, as presented in context, as a file of records relating to software and hardware on the consumers computer. A database is simply a large collection of organized data. As such, the log file as described is considered a database. In order for the server to perform operations on this database to determine the related products needed by the customer, it must inherently be stored in memory on the server. At a very minimum it would need to be stored in a temporary memory. Additionally, the examiner interprets parametric data to be data relating to parameters, measurements and values upon which the operation of a device relies. Therefore, information regarding the hardware and software on a computing system, which is included in the log file is parametric data.)

c. A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product

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information for each said characteristic including a Limit corresponding to a possible value of said parametric data information of an associated one of said operating parameters. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48) (In Col1, lines 29-46 Gronemeyer discloses that a product database and a cross-reference database are obvious improvements that have previously been made in the art. As such, in Col 5, lines 47-67, when the server is describes as having goods and wares separated into different categories that interact with a log file to generates sales offers it inherently contains such databases)

    d. An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement. (Col 3, lines 11 - 35; and Col 5, line 47 through Col 6, line 48) (The applicant asserts that Gronemeyer does not disclose the use of limits corresponding to possible values of parametric data related to operating parameters for creating offers. However, Gronemeyer specifically discloses the user of parametric data relating to computer hard drives for determining offers that are displayed to a customer)

Regarding Claim 19, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer and a web server connected to said customer database storage device for sending said sales offer to the customer. (Col 5, line 47 through Col 6, line 48)

Regarding Claim 20, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 19 wherein said web server generates said sales of a on a web page for viewing by the customer. (Col 4, lines 34 - 42)

Regarding Claim 22, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 18 including a customer database storage device connected to said offer

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generator means for receiving said sales offer, said customer database storage device verifying accuracy of said sales offer against customer information stored in said customer database storage device. (Col 7, lines 56 - 64)

Regarding Claim 23, the Examiner stated that Gronemeyer discloses the apparatus according to Claim. 18 including a customer database storage device connected to said offer generator for receiving said sales offer, said customer database storage device using customer information stored therein for transmitting said sales offer to the customer. (Col 7, lines 56 - 64)

Regarding Claim 24, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 18 wherein said input means includes an interface connected to the customer equipment for receiving said parametric data information, a data collector means connected to said equipment database storage device and data transfer means connected between said interface and said data collector means for transferring said parametric data information to said equipment database storage device. (Col 2, lines 41 - 57)

Regarding Claim 25, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 18 wherein the product information includes information about devices and services related to the customer equipment. (Col 2, lines 41 - 57)

Regarding Claim 28, the Examiner stated that Gronemeyer discloses a method of using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers, comprising the steps of:

a. Receiving parametric data information related to an operating parameter of customer equipment being remotely monitored for service purposes. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

b. Storing the parametric data information in an equipment database storage device. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

c. Storing in a product database storage device product information related to a characteristic of at least one product including a limit corresponding to a possible value of the parametric data information. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

d. Comparing a value of the stored parametric data information with the limit. (Col 1, lines 29-46; Col 3, lines 11 - 35 and Col 5, line 47 through Col 6, line 48)

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e. Generating a sales offer directed to a customer associated with the customer equipment when the value and the limit have a predetermined relationship representing a maintenance requirement. (Col 1, lines 29-46; Col 3, lines 11 – 35 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 29, the Examiner stated that Gronemeyer discloses the method according to Claim 28 including a step of storing in a customer database storage device customer information related to the customer and sending the sales offer to the customer based upon the stored customer information. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 30, the Examiner stated that Gronemeyer discloses the method according to Claim 29 including sending the sales offer to the customer by at least one of regular mail, e-mail and a web page. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 31, the Examiner stated that Gronemeyer discloses the method according to Claim 29 including using the customer information to verify, the accuracy of the sales offer. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48) (Since the sales offer sent to the customer is based upon the customer information, the accuracy of the offer in relationship to the customer information is inherently verified)

Regarding Claim 32, the Examiner stated that Gronemeyer discloses the method according to Claim 28 including a step of monitoring the customer equipment to generate the parametric data information. (Col 3, lines 11 - 37; Col 4, lines 25 - 33; and Col 7, lines 31 - 40; and Col 8, lines 11 - 14) (Applicant asserts that Gronemeyer requires a user to interact with websites for the remote monitoring to occur. The cited references disclose the operation of remote monitoring to occur without user intervention.)

Regarding Claim 33, the Examiner stated that Gronemeyer discloses the method according to Claim 28 wherein said step c. is performed by storing in the product database storage device product information related to characteristics of a plurality of devices and services. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 34, the Examiner stated that Gronemeyer discloses the method according to Claim 28 including performing said steps a through b. for a plurality of operating parameters of the customer equipment. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

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The Examiner rejected Claim 21 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer et al. in view of Palme et al. (RFC 2557, MIME Encapsulation of Aggregate Documents, such as HTML). The Examiner stated that Gronemeyer discloses the apparatus according to claim 2 wherein said web server generates said sales offer as a web page (Col 6, lines 35-48). The Examiner commented, however, Gronemeyer does not specifically state that the generated web page is transmitted to the consumer using an email transportation protocol, but in the analogous teachings of Palme, a method of encapsulating web pages in email documents is disclosed (Page 1, lines 18-37), and it would have been obvious to one having ordinary skill in the art at the time the invention was made to send the generated sales offers via email.

The Examiner rejected Claims 26, 27 and 35 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer et al.

Regarding Claim 26, the Examiner stated that Gronemeyer discloses the apparatus according to claim 1 wherein data regarding the hard drive capacity and the maximum available storage are gathered in order to facilitate a decision by the system (Col 3, lines 11-37). The Examiner commented that while Gronemeyer does not specifically state that a threshold is used, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base this decision on a threshold.

Regarding Claim 27, the Examiner stated that Gronemeyer discloses the apparatus according to claim 1 wherein data regarding the hard drive capacity and the maximum available storage are gathered in order to facilitate a decision by the system (Col 3, lines 11-37). The Examiner commented that while Gronemeyer does not specifically state that a range is used, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base this decision on a range.

Regarding Claim 35, the Examiner stated that Gronemeyer discloses an apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

    a.   A data collector means for receiving parametric data information related to operating parameters of remotely monitored customer equipment being monitored for service purposes. (Col 2, lines 41 - 57)

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b. An equipment database storage device connected to said data collector means for receiving and storing said parametric data information. (Col 5, lines 47-67)

c. A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said parametric data information of an associated one of said operating parameters. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

d. An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement. (Col 3, lines 11 - 35; and Col 5, line 47 through Col 6, line 48)

e. A customer database storage device connected to said offer generator means for receiving said sales offer. (Col 5, line 47 through Col 6, line 48)

f. A web server connected to said customer database storage device for sending said sales offer to the customer. (Col 4, lines 34 - 42)

The Examiner commented that while Gronemeyer does not explicitly state that the remotely monitored equipment includes at least one of an elevator installation and an escalator installation, it is disclosed that the remotely monitored "computing device may be a computer or other intelligent device, such as routers and switches, in addition to consumer devices such as telephones, radios, appliances, etc" (Col 9, lines 1 - 20). The only limitation placed upon such devices is that they are expected to operate in a networked environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to monitor elevators and escalators utilizing the invention disclosed by Gronemeyer.

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The Response:

Gronemeyer describes a method and a system for facilitating e-commerce transactions between clients and servers over a network. A client computing device contacts a server to receive categories of goods or services offered by the server. A category is selected, the client is searched by a sentinel loaded within the client computing device and an inspection log is prepared. The inspection log is submitted to the server and a list of the goods and services offered by the server is sent to the client, the list being determined by the selected category. The list may also contain suggested purchases determined according to past client purchases, relevance to client installed goods, or expected client needs.

Palme describes MIME formatted messages for transmission of complete multi-resource HTML multimedia documents.

Applicant amended independent Claims 18, 28 and 35 to clarify that:

A. The dynamic parametric data information is obtained from remote monitoring of customer equipment for service purposes and is related to electrical and mechanical operating parameters of the customer equipment in an elevator installation or an escalator installation; and

B. The dynamic parametric data information is stored in a form suitable for determining when to take corrective service action at the installation.

These amendments to the claims are supported in the specification on Page 3, at Lines 16-23, and on Page 6, at Lines 20-32.

Gronemeyer requires the client to start a client web browser 50, 100 and direct the web browser to contact a web site 52, 102 of a provider of goods or services. The web site then queries a sentinel 56 that is already installed on the client computer or first installs the sentinel 108. The sentinel provides information regarding the particular characteristics of the client computing device, which information is dependent on which web page the client requested from the web server. Thus, a web page concerning hard drives will query the sentinel regarding the hard drive installed on the client computing device such as the number of hard drives, the hard drive capacity, and the maximum available storage space. In a second embodiment, the sentinel generates and submits to the server a log 116 of currently installed hardware and software.

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The Examiner argues that the Gronemeyer inspection log can include information regarding needed replacements for existing hardware and software. This argument is divorced from its context. Gronemeyer (Col. 1, Lines 63-65) states that the client is searched for installed goods and an inspection log is prepared. Gronemeyer (Col. 2, Lines 50-52) states that the sentinel is responsible for inspecting the client computing device and determining needed goods or services based on the configuration of the client computing device. The configuration of the client is static information such as the number of hard drives, the hard drive capacity, and the maximum available storage space. This information is not the dynamic operating parameters, such as environmental parameters, equipment parameters and so forth, that are monitored and stored in an equipment database by Applicant's invention. Thus, Gronemeyer refers to sales offers for the newest versions computer products and software that are based upon the configuration of the client computing device and not the dynamic operating parameters of the hardware and software.

The Examiner notes that Applicant argues that Gronemeyer does not obtain from remotely monitored equipment data related to the operating parameters of the equipment for service purposes because the sentinel is loaded locally on the remote equipment and, while the Examiner agrees that the sentinel is on the remote equipment, the server is obtaining from remotely monitored equipment data that has been gathered by the sentinel. According to the Examiner, Col. 2, Lines 41-57, describe the server contacting the sentinel in order to obtain such information. However, Gronemeyer is not identifying needed replacements based upon dynamic operating parameters. Nowhere does Gronemeyer describe collecting electrical and/or mechanical operating parameter data. All of the data collected by Gronemeyer is static configuration data.

The Examiner notes that Applicant argues that Gronemeyer does not teach a sales offer based on remotely monitored operating parameters, such as mechanical deterioration, and that the sales offer is maintenance oriented. However, the Examiner contends that Gronemeyer discloses in Col. 2, lines 41-57 that the data obtained "can include information regarding needed replacements for existing hardware and or software" and this data, according to Col. 4, lines 34-42, is then used to provide a sales offer. There is no suggestion in Gronemeyer that the replacements are needed due to mechanical deterioration or is maintenance oriented. The only

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place that Gronemeyer mentions a maintenance issue is when the computing device fails during POST (Col. 6, Line 65 through Col. 7, Line 14. In that situation, the sentinel contacts a server of a repair group or a repair facility. Then the contacted server sends diagnostic tests and/or commands to the sentinel in an attempt to diagnose the problem. Clearly, the Gronemeyer system is not monitoring operating parameters.

The Examiner noted that Applicant argues that nowhere in Gronemeyer are limits based on the parametric data information disclosed. The Examiner further noted that as the previous Office action indicated, in Col. 3, Lines 10-37 the sentinel gathers data such as the number of hard drives, the hard drive capacity and the maximum available storage space, that are used to facilitate a providers determination as to whether or not an offer is made. The Examiner stated "Please note, that this is not the maximum storage space as the applicant is contending but rather the amount of storage space still available for use on the system." Applicant requests that the Examiner identify the support in Gronemeyer for this contention. It is clear to Applicant that the "maximum available storage space' is the total of the hard drive capacity for the number of drives installed. However, whichever definition is correct, Gronemeyer does not monitor the electrical and mechanical operating parameters of the hard drives for service purposes and does not generate a sales offer when a value of stored dynamic parametric data information and a stored product information limit have a predetermined relationship representing a maintenance requirement.

In summary, Gronemeyer describes a method and a system for facilitating e-commerce transactions between clients and servers over a network wherein the client initiates contact with the server and selects a category of goods or services offered by the server. The client computing device is searched by a sentinel loaded within the client computing device, an inspection log of installed devices is submitted to the server and a list of the goods and services offered by the server is sent to the client, the list being determined by the selected category.

In contrast, Applicant's amended Claims 18-35 define an apparatus and a method that receives dynamic parametric data information related to operating parameters of customer equipment being remotely monitored for service purposes. When a value of the dynamic parametric data information has a predetermined relationship with a limit corresponding to a possible value of the parametric data information corresponding to an associated operating

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parameter, a sales offer is generated to the customer for a product associated with the limit. For example, as described at lines 5-15 on page 8 of the specification, the parametric data information can be elevator equipment room temperature being monitored by an elevator service company. A value of the temperature is compared with a temperature limit to generate a sales offer for a heater when there is a predetermined relationship between the value and the limit. The Gronemeyer system does not perform in this manner as explained above.

Applicant defines the "parametric data" and the "limits" in the specification as follows:

The monitored information is typically parametric data, such as functional, performance, and environmental data. (Page 2, Lines 3-4)

For example, parameters that can be used to determine specific customer product offering opportunities include, but are not limited to, application modifications such as changes in software, mode of operation, and features, usage parameters such as run time, trips per hour, and cycle times, environmental parameters such as temperature changes, utility power, and weather, and equipment performance parameters such as mechanical deterioration. (Page 3, Lines 18-22)

Likewise a product database, which is preferably part of an enterprise-wide information database system, contains products characterized where each characteristic is associated, for cross-referencing purposes, with a set of elevator database characteristics for an installation. Each product characteristic has a limit value representing a threshold or a range. These limit values are used to compare with the relevant monitored equipment parametric data value by an offer generator. The offer generator compares the cross-referenced values in the equipment database with limits in the product database to determine whether offers should be generated. When a data value in the equipment database meets or exceeds a limit value in the product database, the offer generator can generate an offer. The limit values are configured so the offers can be generated with respect to a customer's projected needs, for example an equipment heater sales offer for equipment experiencing ambient temperatures below a predetermined value. (Page 4, Lines 20-31)

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The process operating conditions of the customer equipment **12**, represented by the parametric data, are monitored by a remote monitor interface **14** connected to the data points. The parametric data generated by the equipment **12** can include, but is not limited to, functional, performance, and environmental data. (Page 6, Lines 24-29)

The parametric data gathered by the remote monitor interface **14** (parametric data information), specific installation information for the customer equipment **12** (installation information) and information specific to the owner or operator of the customer equipment **12** (customer information) all are stored in the equipment database **20**. (Page 7, Lines 10-14)

It is clear from Applicant's specification that the information stored in the Gronemeyer is static configuration or installation information and not dynamic parametric data information.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

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